

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buechler et al.

Title: USE OF THROMBUS
PRECURSOR PROTEIN AND
MONOCYTE
CHEMOATTRACTANT
PROTEIN AS DIAGNOSTIC
AND PROGNOSTIC
INDICATORS IN VASCULAR
DISEASES

Appl. No.: 10/728,067

Filing Date: 12/3/2003

Examiner: Jung, Unsu

Art Unit: 1641

Confirmation Number: 7956

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment-IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English and were cited in the Supplementary Partial European Search Report for EP Application No. 03 81 4398 and in the Supplementary European Search Report for EP Application No. 03 81 0896.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

Fees in the amount of \$180.00 in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 06/22/2007

By Barry S. Wilson

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Richard Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/728,067
				Filing Date	12/03/2003
				First Named Inventor	Buechler et al.
				Art Unit	1641
				Examiner Name	Jung
(use as many sheets as necessary)				Attorney Docket Number	071949-5604
Sheet	1	of	3		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	A1	WO 96/032648	10-17-1996	Spectral Diagnostics, Inc.		
	A2	WO 00/052476	09-08-2000	Skye Pharmatech Incorporated		
	A3	WO 02/023191	03-21-2002	University of Sydney		
	A4	WO 02/059822	08-01-2002	Biowulf Technologies LLC		
	A5	WO 02/083913	10-24-2002	Biosite Diagnostics, Inc.		
	A6	WO 02/089657	11-14-2002	Biosite, Inc.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A7	AY et al., Creatine kinase-MB elevation after stroke is not cardiac in origin: Comparison with troponin T levels. Stroke 33:286-289, 2002.	
	A8	BEN-DOR et al., Tissue classification with gene expression profiles. Proceedings of the Fourth Annual International Conference on Computational Molecular Biology, 2000, p. 54-64.	

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Art Unit	1641
				Examiner Name	Jung
Sheet	2	of	3	Attorney Docket Number	071949-5604

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A9	FUTTERMAN et al., Novel markers in the acute coronary syndrome: BNP, IL-6, PAPP-A, American Journal of Critical care, 11(2): 168-172, 2002.	
	A10	LAMERS et al., Cerebrospinal neuron-specific enolase, S-100 and myelin basic protein in neurological disorders. Acta Neurologica Scand 92:247-251, 1995.	
	A11	PERSSON et al., S-100 protein and neuron-specific enolase in cerebrospinal fluid and serum: markers of cell damage in human contral nervous system. Stroke 18:911-918, 1987.	
	A12	QUINN et al., D-Dimers in the diagnosis of pulmonary embolism. Am J Respir Crit Care Med 159:1445-1449, 1999.	
	A13	SAGNELLA, Measurement and significance of circulating natriuretic peptides in cardiovascular disease. Clinical Science 95:519-529, 1998.	
	A14	SCHNEIDER et al., Fuzzy logic-based tumor-marker profiles improved sensitivity in the diagnosis of lung cancer. International Journal of Clinical Oncology, Churchill Livingston Japan, 7(3): 145-151, 2002.	
	A15	SONEL et al., Prospective study correlating fibrinopeptide A, Troponin I, myoglobin and myosin light chain levels with early and late Ischemic events in consecutive patients presenting to the emergency department with chest pain. Circulation 102:1107-1113, 2000.	
	A16	VEER et al., Gene expression profiling predicts clinical outcome of breast cancer. Nature, 415(6871): 530-536, 2002.	
	A17	VILLACORTA et al., The role of B-type natriuretic peptide in the diagnosis of congestive heart failure in patients presenting to an emergency department with dyspnea. Arq Bras Cardiol 79(6): 569-572, 2002.	
	A18	ZHANG et al., Recursive partitioning for tumor classification with gene expression microarray data. Proceedings of the National Academy of Sciences, 98(12): 6730-6735, 2001	

Examiner Signature		Date Considered	
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	A19	European Search Report for EP Application No. 03 81 0896.	
	A20	Supplementary Partial European Search Report for EP Application EP 03 81 4398	

Examiner Signature		Date Considered	
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